

REMARKS

Receipt of the Office Action of September 24, 2007 is gratefully acknowledged.

Claims 15 – 28 were presented for examination. As a result of the examination, claims 15 – 22 are rejected under 35 USC 102(b) as anticipated by Flogel et al, while claims 23 – 28 are objected to but indicated as containing allowable subject matter.

The rejection of claims 15 – 22 is respectfully traversed, while the indication that claims 23 – 28 contain allowable subject matter is sincerely appreciated. However, in view of the traverse of the rejection of claims 15 – 22, the format of claims 23 – 28 will be retained in dependent form.

The invention provides a sensor with a new sealing arrangement. The sealing arrangement comprises a sandwich structure of two sealing rings and a decoupling ring between the two sealing rings. The sealing arrangement is clamped between the measuring cell of the sensor and an axial bearing surface. These features can be found in claim 15. Claims 15 requires then, inter alia, the following limitations:

- 1) a sealing arrangement positioned between a bearing surface and an end face of a measuring cell, the end face being loadable with a medium, and the axial bearing surface surrounding a media opening of a housing;
- 2) the sealing arrangement comprising a decoupling ring, a first and a second ring-shaped sealing element;
- 3) the first ring-shaped sealing element lies against the end face;
- 4) the second ring-shaped sealing element lies against lies against the bearing surface; and
- 5) the decoupling ring is clamped between the first sealing element and the second sealing element.

These limitations are clearly seen in claim 15.

The examiner's position regarding claim 15, and the claims which depend therefrom can be understood by reference to the annotated copy of Fig. 1 of Flogel et al.

It is evident that the examiner's reasoning leads to irresolvable contradictions, and that none of the limitations noted above which pertain to the sealing arrangement and its position are anticipated or suggested by Fogel et al.

One would assume that the examiner construes the threads in the wall of the housing which hold the ring 150 to be the axial bearing surface, and takes a further liberty in attributing sealing functions to further components which are not disclosed. Still, this does not lead to a consistent interpretation of the features in Fogel et al vis-à-vis claim 15. For example, such an interpretation would imply that the sealing arrangement is not located between the end face and the bearing surface, since the first sealing element would not be located between the end face and the bearing surface.

The claimed limitations found in claim 15, and noted above, are, it is respectfully submitted, not all found in Fogel et al, as they must be for 35 USC 102 to apply. Accordingly, claim 15, and the claims which depend from claim 15 should be allowed along with claims 23 – 28.

Date: December 26, 2007

Respectfully submitted,
BACON & THOMAS, PLLC



Felix J. D'Ambrosio
Attorney for Applicant

Registration Number 25,721

Customer Number *23364*
BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: (703) 683-0500
Facsimile: (703) 683-1080

S:\Producer\jfd\CLIENTS\Endress+Hauser Holding GmbH\DREW3003-EH0640\Prelim Amend.doc